

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant:	Gergely Molnar	§	Group Art Unit:	2444
		§		
Application No	10/500,992	§	Examiner:	Anwari, Maceeh
		§		
Filed:	01/10/2005	§	Confirmation No:	1831
		§		
Attorney Docket No:	P15199-US1			
Customer No.:	27045			

For: Method And Apparatus For Managing Configuration Of A Network

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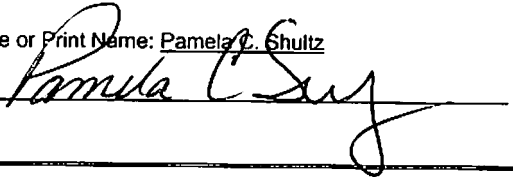
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APPEAL UNDER 35 U.S.C. §134

This Brief is submitted in connection with the decision of the Primary Examiner set forth in Final Official Action dated January 9, 2009, finally rejecting claims 12-21, which are all of the pending claims in this application.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §41.20(b)(2) that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1379.

Real Party in Interest

The real party in interest, by assignment, is: Telefonaktiebolaget LM Ericsson (publ)
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Stockholm, Sweden

Related Appeals and Interferences

None.

Status of Claims

Claims 1-11 were previously cancelled and are not appealed. Claims 12-21 are pending in the present application, each of which are finally rejected and form the basis for this Appeal. Claims 12-21, stand rejected, under 35 U.S.C. §103(a), as being unpatentable over Schroder, et al (U.S. Patent No. 7,102,329 B1, hereinafter "Schroder") and further in view of Hanselmann (U.S. Patent No. 7,116,634 B1, hereinafter "Hanselmann"). Claims 12-21, including all amendments to the claims, are attached in the Claims Appendix. The rejection of claims 12-21 is appealed.

Status of Amendments

The claims set out in the Claims Appendix include all entered amendments. No amendment has been filed subsequent to the final rejection.

Summary of Claimed Subject Matter

Independent Claim 12

Claim Element	Specification Reference (from Appellant's Published Specification)
A method for managing configuration of a network in a management centre, said network having a plurality of target objects, said method comprising:	Paragraphs [0029], [0031]-[0033], [0039], [0043], [0045]-[0047], [0068]
elaborating a model of the network to be managed;	Paragraphs [0030], [0044], [0065], [0071], [0072]
identifying a plurality of target objects to be configured in the network;	Paragraph [0072]
validating the changes to be made upon configuration of said plurality of target objects; and, if all changes have been validated:	Paragraphs [0075] and [0076]
finding a configuration sequence of target routers associated with said target objects that provides continuous connectivity to said management centre; and	Paragraph [0078]
configuring each of said target routers.	Paragraph [0082]

Independent Claim 17

Claim Element	Specification Reference (from Appellant's Published Specification)
An apparatus for managing configuration of a network, said apparatus being located in a management centre, said network having a plurality of target objects, said apparatus comprising:	FIG. 2, FIG. 3; Paragraphs [0029], [0031]-[0033], [0039], [0043], [0045]-[0047], [0068]
means for elaborating a model of the network to be managed;	FIG. 2, elements 12 and 14; Paragraphs [0030], [0044], [0065], [0071], [0072]
means for identifying a plurality of target objects to be configured in the network;	FIG. 2, element 22; Paragraph [0072]

means for validating the changes to be made upon configuration of said plurality of target objects;	FIG. 2, element 22; Paragraphs [0075] and [0076]
means for finding a configuration sequence of target routers associated with said target objects that provides continuous connectivity to said management centre; and	FIG. 2, element 22; Paragraph [0078]
means for configuring each of said target routers.	FIG. 2, element 22; Paragraph [0082]

The specification references listed above are provided solely to comply with the USPTO's current regulations regarding appeal briefs. The use of such references should not be interpreted to limit the scope of the claims to such references, nor to limit the scope of the claimed invention in any manner.

Grounds of Rejection to be Reviewed on Appeal

1.) There is insufficient support for the rejection of claims 12-21 under 35 U.S.C. 103(a) over Schroder, et al (U.S. Patent No. 7,102,329 B1, hereinafter "Schroder") and further in view of Hanselmann (U.S. Patent No. 7,116,634 B1, hereinafter "Hanselmann").

Argument

There is insufficient support for the rejection of claims 12-21 under 35 U.S.C. 103(a). The present invention, in one embodiment, discloses managing configuration of a network in a management centre, the network having a plurality of target objects, remarkable in that it comprises: elaborating a model of the network to be managed; identifying a plurality of target objects to be configured in the network; validating the changes to be made upon configuration of the plurality of target objects; and, if all changes have been validated: finding a sequence of target routers that provides continuous connectivity to the management centre; and configuring each of the target routers. Thus, thanks to the present invention, the network administrator can concentrate on actual network-wide object management instead of complex and time-consuming distributed, per-element implementation.

In contrast, Schroder is related only to operations on a single router and is not concerned with the relation among routers, e.g., the topology of the network. As such, Schroder also fails to teach a management centre as recited in the claims since Schroder is only concerned with forwarding traffic for a single router while that single router receives a software upgrade. Schroder, in the passage cited by the Examiner, discloses interruption of service in order to upgrade/reload software and a "hot swap" of software. Neither technique described in Schroder teaches the limitations of Appellant's claims. Namely, Schroder fails to at least teach "finding a configuration sequence of target routers...".

The present invention, as recited in independent claims 12 and 17 is concerned, in one embodiment, with the finding a configuration sequence of target routers in order to maintain continuous connectivity to the management center. In Schroder, no such configuration sequence of target routers is taught, disclosed, or suggested. In fact, it can be said that Schroder teaches away from finding a configuration sequence of target routers since Schroder is only concerned with swapping old software for new software in a router without disrupting traffic flowing through that single router.

In addition, the Examiner concedes that Schroder fails to teach "finding a configuration sequence of target routers associated with said target objects that

provides continuous connectivity to said management centre.” See Office Action, Section 3, paragraph 3. In order to cure the Examiner’s perceived deficiency of Schroder, Hanselmann is cited.

Appellant respectfully traverses the Examiner’s characterization of the Hanselmann reference. Hanselmann discloses a sequence number associated with **data**, where the sequence number of the **data** is used by an active router and a standby router in order to recover a data connection. See Hanselmann, Abstract. Appellant’s claims recite a **finding a configuration sequence of target routers not** a sequence number of data as taught by Hanselmann. The Examiner cites Hanselmann (col. 1, lines 10-37) and Hanselmann (col. 1, line 63 – col. 2, line 19) as teaching “a configuration sequence of target routers”. Hanselmann only discloses that a host forwards traffic to a virtual router. In Hanselmann, the virtual router includes physical active and standby routers where traffic is directed to one of the standby routers when the active router fails. Clearly, Hanselmann does not teach “finding a configuration sequence of target routers”, as recited by Appellant’s claims. As such, Schroder and Hanselmann, in any permissible combination fail to teach, disclose, or suggest what is recited by Appellant’s independent claims 12 and 17.

In view of the above arguments, Appellant respectfully asserts that independent claims 12 and 17 are patentable over the cited art. Claims 13-16 and 18-21 are patentable at least by virtue of depending from their respective base claims. Therefore, the allowance of claims 12-21 is respectfully requested.

CONCLUSION

The claims currently pending in the application are patentable over Sawahashi, and the Appellants request that the Examiner's rejection thereof be reversed and the application be remanded for further prosecution.

Respectfully submitted,



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Date: September 9, 2009

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CLAIMS APPENDIX

1-11. (Cancelled).

12. (Previously Presented) A method for managing configuration of a network in a management centre, said network having a plurality of target objects, said method comprising:

elaborating a model of the network to be managed;
identifying a plurality of target objects to be configured in the network;
validating the changes to be made upon configuration of said plurality of target objects; and, if all changes have been validated:
 finding a configuration sequence of target routers associated with said target objects that provides continuous connectivity to said management centre;
 and
 configuring each of said target routers.

13. (Previously Presented) The method according to claim 12, wherein said model is based on the CIM (Common Information Model) schema.

14. (Previously Presented) The method according to claim 12, wherein said identification step includes identifying direct target objects and indirect target objects.

15. (Previously Presented) The method according to claim 12, wherein said validation step includes checking the compliance of the changes to be made upon configuration with a predetermined set of rules.

16. (Previously Presented) The method according to claim 12, wherein said network is an IP based mobile access network.

17. (Previously Presented) An apparatus for managing configuration of a network, said apparatus being located in a management centre, said network having a plurality of target objects, said apparatus comprising:

means for elaborating a model of the network to be managed;
means for identifying a plurality of target objects to be configured in the network;
means for validating the changes to be made upon configuration of said plurality of target objects;
means for finding a configuration sequence of target routers associated with said target objects that provides continuous connectivity to said management centre; and
means for configuring each of said target routers.

18. (Previously Presented) The apparatus according to claim 17, wherein said model is based on the CIM (Common Information Model) schema.

19. (Previously Presented) The apparatus according to claim 17, wherein said identification means are adapted to identify direct target objects and indirect target objects.

20. (Previously Presented) The apparatus according to claim 17, wherein said validation means are adapted to check the compliance of the changes to be made upon configuration with a predetermined set of rules.

21. (Previously Presented) The apparatus according to claim 17, wherein said network is an IP based mobile access network.

* * *

EVIDENCE APPENDIX

None.

RELATED PROCEEDINGS APPENDIX

None.